

REMARKS

Claims 1-55 are pending in the above-captioned patent application after this amendment. Claims 1-3, and 26-28 have been rejected. Claims 4-25 and 29-50 have been objected to. Claims 51-55 have been allowed.

INTERVIEW SUMMARIES

On June 1, 2006, the undersigned attorney for the applicant conducted a telephonic interview with the Examiner, Kevin C. Gutierrez to discuss the status of Claims 51-55. These claims were not mentioned in the original office action and incorrectly objected to in the Supplemental Office Action. During the interview, the Examiner confirmed that Claims 51-55 were allowed.

Additionally, on June 9, 2006, the undersigned attorney for the applicant conducted a telephonic interview with the Examiner, Kevin C. Gutierrez to discuss the Double Patenting Rejection. Prior to the interview, a draft response was sent to the Examiner. During this interview, the Examiner agreed to withdraw the double patenting rejection upon the filing of the response. The Applicant wants to thank the Examiner for his time during these interviews.

Rejections for Double Patenting

Claims 1-3 and 26-28 are rejected under the judicially created doctrine of obviousness-type double patenting in view of prior U.S. Patent No. 6,757,053 (the "'053 Patent"). More particularly, claims 1-3 and 26-28 were rejected under the judicially created doctrine of obviousness-type double patenting over claim 3 of the '053 Patent. The applicant respectfully submits that this rejection should be withdrawn.

In the office action, the Patent Office provides that claim 3 of the '053 Patent requires "the reaction assembly including a first reaction subassembly (col. 34, lines 52-53) where first reaction assembly is the X reaction component) having a first mass that is movable along the first axis (col. 34, line 55 and lines 58-60; where first mass is the first X reaction masses and is movable along an axis), a second reaction subassembly (col. 34, line 57 and lines where second reaction assembly is the Y reaction component) having a second mass that is movable along the first axis (col. 34, line 57, lines 60-62; where the

second mass is the Y reaction mass and is movable along an axis)" (emphasis added).

However, Claim 3 of the '053 Patent actually recites "a reaction mass assembly including an X reaction component and a Y reaction component that are coupled to the stage mover assembly, the X reaction component including a pair of spaced apart X reaction masses and the Y reaction component including a pair of spaced apart Y reaction masses, the X reaction component moving relative to the Y reaction component along an X axis, the X reaction component and the Y reaction component moving concurrently along a Y axis relative to the stage base...." Thus, Claim 3 of the '053 Patent requires that the X reaction component moves relative to the Y reaction component along an X axis, and the X reaction component and the Y reaction component moving concurrently along a Y axis. (Emphasis added.)

In contrast, Claim 1 of the present application requires "a first reaction subassembly having a first mass that is movable along the first axis, a second reaction subassembly having a second mass that is movable along the first axis, and a connector assembly that connects the reaction subassemblies together, allows for relative movement of the masses with at least one degree of freedom and inhibits relative movement of the masses with at least one degree of freedom." Accordingly, Claim 1 is of a different scope than claim 3 of the '053 Patent. Claims 2 and 3 depend upon claim 1 and are also of a different scope than claim 3 of the '053 Patent. Thus, the double patenting rejection of claims 1-3 should be withdrawn.

Further, claim 26 of the present application requires "the reaction assembly including a first reaction subassembly having a first mass that is movable along the first axis, a second reaction subassembly having a second mass that is movable along the first axis, and a connector assembly that connects the reaction subassemblies together, allows for relative movement of the masses with at least one degree of freedom and inhibits relative movement of the masses with at least one degree of freedom." Accordingly, Claim 26 is of a different scope than claim 3 of the '053 Patent. Claims 27 and 28 depend upon claim 26 and are also of a different scope than claim 3 of the '053 Patent. Thus, the double patenting rejection of claims 26-28 should be withdrawn.

CONCLUSION

In conclusion, the Applicant respectfully asserts that claims 1-55 are patentable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 858-456-1951 for any reason that would advance the instant application to issue.

Dated this 9th day of June 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S G R', is positioned above the printed name of the attorney.

STEVEN G. ROEDER
Attorney for Applicant
Registration No. 37,227

THE LAW OFFICE OF STEVEN G. ROEDER
5560 Chelsea Avenue
La Jolla, California 92037
Telephone: (858) 456-1951